

Application No.: 09/437378

Docket No.: OIQ-001

**REMARKS**

Applicants have amended claims 1, 6, 9, 17, 19 and 22 to further clarify the claimed invention. Thus claims 1-6, 9-13 and 15-34 are presently pending.

**Claim Rejections Pursuant to 35 U.S.C. §103(a)**

Claims 1,2, 4-6, 9, 11-13, 15-20, 22 and 24-26 were rejected by the Examiner pursuant to 35 U.S.C. §103(a) as being unpatentable over White et al (United States Patent Number 5933490, hereafter "White et al") in view of Sotomayor et al (United States Patent Number 5,708, 825, hereafter "Sotomayor et al"). In view of the above amendments and the below remarks, those rejections are respectfully traversed.

**Summary of Claimed Invention**

The claimed invention provides a mechanism for a hyperlink to be resolved based on a user-supplied preference to retrieve digital objects. For example, if a user that clicks on a hyperlink referencing certain content has access to both subscription-based services and non-subscription based services, the user determines which of the services is to be used in resolving the hyperlink to one or more resources for the content. On the other hand, where a user does not subscribe to a subscription-based service, the hyperlink may be resolved by non-subscription-based services when the user clicks on the hyperlink. The user-supplied preference enables a hyperlink to be resolved differently based upon whether the user has access to subscription-based services and/or non-subscription-based services.

The claimed invention provides a controlled vocabulary that is used to specify a unique variety of hyperlink. The hyperlink contains a uniform resource locator (URL). The URL is not for a service provided to resolve the hyperlink, but rather refers to a hyperlink redirection facility. The hyperlink redirection facility receives user-supplied information regarding user preferences for resolution services (in one implementation through the use of a cookie). Alternatively, the hyperlink redirection facility may query the user for preferred resolution service. The hyperlink redirection facility redirects link information and user information to a service provider facility in accordance with user preference. The service provider receives the

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user information and the link information and directs the information to a service provider that provides resources, such as search results. The resources are then returned to the user by the service provider.

#### Summary of White et al

White et al discusses a load balancing method for dial up access to the Internet. The method allows for redirected access for an ISP ( Internet Service Provider ) attempting to connect to the Internet backbone. An Internet Service Control Point redirects calls to alternate lines in the event of overload situations. Calls are re-directed based on preferences stored by the ISP combined with dynamically compiled call information (see col. 4, line 3 – col. 5, line 12). The request being responded to is an access request prior to the establishment of an Internet connection. White does not discuss the redirection of hyperlink requests referencing semantic content. It does not discuss hyperlink requests. It does discuss redirection of requests but the redirection is based on ISP supplied preferences for access and is not based on semantic content associated with a user request.

#### Summary of Sotomayor et al

Sotomayor et al discusses the automated identification of significant topics, concepts and phrases in documents and the creation of summary pages for the documents. Sotomayor et al also discusses the automatic creation of hyperlinks between the identified key topics. A semantic analyzer program examines user selected documents to automatically identify key topics within the document, compile the topics into summary pages, and generate presentation pages by segmenting the selected documents into smaller pages. Hyperlinks are embedded in the summary pages to the topics in the presentation pages. Sotomayor et al does not include a redirection facility that is an intermediary.

Applicants have amended claims 1, 6, 9, 17, 19 and 22 to further clarify that the user information used by the redirection facility is "user-supplied" by the same user making the request and not provided by a third party involved in the processing of the request such as an ISP. Although Applicants feel this limitation was sufficiently clear prior to this Amendment, the

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Examiner's current position highlighted the need for further specification. Applicants respectfully suggest that these amendments should not necessitate a new search on the Examiner's part since any references found would be a subset of the Examiner's current search.

The Examiner rejected independent claim 1 upon which claims 2 and 4-5 are dependent, independent claim 6, independent claim 9 upon which claims 11-13 and 15-16 are dependent, independent claim 17, upon which claim 18 is dependent, independent claim 19 upon which claims 20-21 are dependent, independent claim 22 upon which claim 24 is dependent and independent claim 25 upon which claim 26 is dependent, for being unpatentable over White et al in view of Sotomayor et al. Each of these rejections is examined below.

Prior to examining each of the rejections individually, the Applicants respectfully suggest that all of the rejections offered by the Examiner which rely on the combination of White et al and Sotomayor et al (with or without additional references combined) are unsupported as there is nothing contained within either White et al or Sotomayor et al which teaches or suggests its combination with the other. White et al has nothing to do with a semantic based redirection. It is directed towards load balancing issues from an ISP standpoint, specifically the direction and redirection of incoming access requests to an appropriate trunk line based on ISP preferences. Sotomayor discusses the categorization of content to create hyperlinked summary pages but has nothing to do with a redirection facility. There is no support within either reference for the Examiner's proposition that it would have been obvious to implement "the redirection to occur from the selecting of a hyperlink within the redirection method and program because hyperlinks are well known and used in the Internet via a browser to directly connect or link from one site to an affiliated site as well as from a query search, therefore when a user selects a hyperlink and the associated site is down or experiencing heavy load, then the teachings of White would prevent the user from having to wait or access the requested information at another time (page 3 of Examiner's Office Action of September 8, 2003)." Nothing in White et al or Sotomayor et al supports the above Examiner's statement. It is not permitted to combine together features of references solely to cover all of the elements of a claimed invention when the motivation for doing so is lacking in the cited prior art. Nothing in White et al discusses the redirection of hyperlinks based on user supplied preferences. Additionally, it should also be noted that any such redirection would not be based on a user-

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supplied preference, a necessary step in the claimed invention the Examiner's argument ignores, but rather a preference supplied by the ISP.

Amended independent claim 1 and amended independent claim 19 ( the corresponding medium claim) and their dependents, all include the step of "identifying a user-supplied preference regarding which service provider to use to service the request." The fact that the user preference is supplied by the user rather than being imposed on the user by a third party (i.e.: the ISP) is a fundamental difference between White et al and the claimed invention. The Examiner's attention is directed to column 17, lines 50-54 of White et al which states in discussing the handling of call originated by a subscriber:

On receiving the query the ISCP accesses the ISP customer profile record or CPR. This profile contains a record of the services to which the ISP is subscribed, along with indicating the processing which the ISP desires (step S3)[emphasis added].

It is not the subscriber's preferences which are being carried out in performing the re-direction, but rather those of the ISP. The request is also modified based on the identified user-supplied preference, a step missing in both White et al and Sotomayor et al. Since the combination of references lack these limitations, the rejections should be withdrawn for claims 1, 2, 4-5 and 20.

The step of identifying the user-supplied preference and redirecting a modified request based on that preference are both contained in amended independent claim 6. The arguments made regarding claims 1 and 19 are equally applicable to claim 6 and the rejection should be withdrawn.

Newly amended independent claim 9, newly amended independent claim 22 (the corresponding medium claim for claim 9) and newly amended independent claim 17 have been amended to specify that user-supplied information is received by the redirection facility, the user-supplied information is used to identify a resolution service. Neither of these steps is

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included in the combination of references as outlined above. Accordingly, the rejections of claims 9, 11-13, 15-18, 22 and 24 should be withdrawn.

The first step of independent claim 25 includes the act of receiving a request for a resource originating from the selection of a hyperlink by a user, the request having been modified and redirected to a computer system via a user by an intermediary. As discussed above, White et al and Sotomayor et al both lack the step of modifying a hyperlink based request. Furthermore, neither of the cited references discusses returning the modified request to the user prior to delivery of the request to the modified destination. Accordingly the rejections for claims 25 and 26 should be withdrawn.

Claims 3, 10, 21 and 23 were rejected by the Examiner pursuant to 35 U.S.C. §103(a) as being unpatentable over White et al in view of Minor et al (United States Patent Number 5, 740, 252, hereafter "Minor et al"). In view of the above amendments and the below remarks, those rejections are respectfully traversed.

Minor et al is cited by the Examiner to show the use of a cookie. However, as pointed out above White et al fails to teach, disclose or suggest the redirection of a request to access information associated with a hyperlink using user-supplied preferences/information as required by the respective underlying independent claims 1, 9, 19, and 22. Minor et al does not supply this missing element. Applicants also note the Examiner has not included Sotomayor et al as part of these rejections. If Sotomayor et al was necessary to support the rejections of the underlying independent claims, it would also be required for the dependents, at least in combination with the Minor et al reference. As Applicants have pointed out above however, the combination of White et al and Sotomayor et al fails to disclose, teach or suggest the claimed invention as set forth in 1, 9, 19, and 22. Accordingly, even if Sotomayor et al were included in this rejection, the rejections are unsupported and should be withdrawn.

Claims 3, 10, 21 and 23 were rejected by the Examiner pursuant to 35 U.S.C. §103(a) as being unpatentable over White et al in view of Sotomayor et al in further view of Gerace (United States Patent Number 5,991,735, hereafter "Gerace"). In view of the above amendments and the below remarks, those rejections are respectfully traversed.

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Claim 27, and the underlying dependent claims 28-34, include a step in which a user request to access information associated with a hyperlink is received at a redirection facility. As previously discussed, the combination of White et al and Sotomayor et al does not teach, discuss or suggest this limitation. Gerace, which is cited by the Examiner as teaching a method of deciding whether to present an advertisement to a requestor, also lacks this element of the claimed invention. Accordingly the combination of references fails to disclose all of the elements of independent claim 27 and its dependent claims and the rejections directed to claims 27-34 should therefore be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. OIQ-001 from which the undersigned is authorized to draw.

Dated: December 8, 2003

Respectfully submitted,

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